

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 416

BY BUSINESS COMMITTEE

AN ACT

RELATING TO BANKS; AMENDING SECTION 26-216, IDAHO CODE, TO REVISE PROVISIONS REGARDING A BANK ACTING AS A CUSTODIAN OR FIDUCIARY.

Be It Enacted by the Legislature of the State of Idaho:

SECTION 1. That Section 26-216, Idaho Code, be, and the same is hereby amended to read as follows:

26-216. CUSTODIAL ACCOUNTS. ~~Any A bank, not having trust powers, may~~
is authorized to act as custodian or fiduciary, and may receive reasonable
compensation for so acting, ~~of any under any written trust instrument or~~
custodial account created or organized in the United States and forming
~~part of a stock bonus, pension, or profit sharing agreement in connection~~
with a tax-advantaged savings plan which qualifies or qualified for spe-
~~specific tax treatment under section 401(d), section 403(b) or section 408(a)~~
of authorized under the Internal Revenue Code of 1954 as defined in section
~~63-3004 or chapter 30, title 63, Idaho Code, if the funds of such trust or~~
funds subject to the custodial agreement are invested only in savings ac-
counts or deposits in such bank or in obligations or securities issued by
such bank. All funds held in such custodial or fiduciary capacity by any such
bank may be commingled for appropriate purposes of investment, but individ-
ual records shall be kept by the custodian for each participant and shall
show in proper detail all transactions engaged in under the authority of this
section.